

COMMITTEE REPORT

Mr. President: Pursuant to Joint Rule 20, your Committee on Rules and Legislative Procedure, to which was referred Engrossed House Bill 1378 because it conflicts with HEA 1473-2003 without properly recognizing the existence of HEA 1473-2003, has had Engrossed House Bill 1378 under consideration and begs leave to report back to the Senate with the recommendation that Engrossed House Bill 1378 be corrected as follows:

1 In the conference committee report to EHB 1378, page 1, delete
2 lines 13 through 20.

3 In the conference committee report to EHB 1378, page 2, delete
4 lines 1 through 4, begin a new paragraph and insert:

5 "SECTION 2. IC 36-1-6-2, AS AMENDED BY HEA1473-2003,
6 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2003]: Sec. 2. (a) If a condition violating an ordinance of a
8 municipal corporation exists on real property, officers of the municipal
9 corporation may enter onto that property and take appropriate action to
10 bring the property into compliance with the ordinance. However,
11 before action to bring compliance may be taken, all persons holding a
12 substantial interest in the property must be given a reasonable
13 opportunity **of at least ten (10) days but not more than sixty (60)**
14 **days** to bring the property into compliance. If the municipal
15 corporation takes action to bring compliance, the expenses incurred by
16 the municipal corporation to bring compliance constitute a lien against
17 the property. The lien is superior to all other liens except liens for
18 taxes, in an amount that does not exceed:

19 (1) two thousand five hundred dollars (\$2,500) for real property
20 that:

21 (A) contains one (1) or more occupied or unoccupied single or
22 double family dwellings or the appurtenances or additions to
23 those dwellings; or

24 (B) is unimproved; or

25 (2) ten thousand dollars (\$10,000) for all other real property not

1 described in subdivision (1).".

(Reference is to the EHB 1378 as printed April 4, 2003, and to the
Conference Committee Report to EHB 1378.)

Senator GARTON, Chairperson

Senator YOUNG, R.M.M.

Senator SERVER